



APPL. No. 10/686,553

ATTY. DOCKET No.: 08285-00646

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PATRICK J. WALSH

Appl. No.: 10/686,553

Title: LOCATION PRIVACY MANAGER FOR A
WIRELESS COMMUNICATION DEVICE
AND METHOD THEREFOR

Filed: OCTOBER 14, 2003

Docket No.: 08285-00646 (A00590-1)

Conf. No.: 3477

Art Unit: 2617

Examiner: NGUYEN, DAVID Q.

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
PURSUANT TO 37 C.F.R. §1.181(A) AND IN THE FIRST ALTERNATIVE
WITHDRAW HOLDING OF ABANDONMENT PURSUANT TO 37 C.F.R. § 1.137(a)
AND IN THE SECOND ALTERNATIVE PURSUANT TO 37 C.F.R. § 1.137(b)**

Sir:

Applicant hereby petitions for withdrawal of the Notice of Abandonment dated July 9, 2008.

The above-identified Notice of Abandonment indicates that the present application has been abandoned "in view of Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85)."

In response the above-identified Notice of Abandonment, Applicant asserts that the Notice of Allowance dated March 14, 2008 was never received. Accordingly, Applicant was unaware that a three month statutory period for payment of the issue and publication fees had started and did not have an opportunity to reply to the Notice of Allowance.

In support this assertion, Applicant provides:

- (1) Exhibit A – A declaration by the undersigned that states:

II. PETITION TO REVIVE UNAVOIDABLY ABANDONED APPLICATION

In light of the assertions and submissions discussed above, Applicant hereby petitions the Office pursuant to 37 C.F.R. §1.137(a) to revive the above-identified unavoidably abandoned application and accept the attached completed Issue Fee Transmittal.

Applicant directs the Office to charge **Deposit Account 23-1925 (08285-00646)** in the amount of **\$510.00** for the petition fee set forth under 37 C.F.R. §1.17(l) to revive an unavoidably abandoned application.

III. PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION

In the alternative, should the Office conclude that the above-identified was not unavoidably abandoned, Applicant hereby petitions the Office pursuant to 37 C.F.R. §1.137(a) to revive the above-identified unintentionally abandoned application and accept the attached completed Issue Fee Transmittal.

Applicant directs the Office to charge **Deposit Account 23-1925 (08285-00646)** in the amount of **\$1540.00** for the petition fee set forth under 37 C.F.R. §1.17(l) to revive an unintentionally abandoned application.

Respectfully submitted,

BRINKS HOFER GILSON & LIONE

Dated: **August 18, 2008**

BY: 

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